

REMARKS

The application has been amended to place it in condition for allowance at the time of the next Official Action.

The specification is amended to include a new heading as suggested in the Official Action.

In addition, section headings are added. The above changes are believed not to introduce new matter.

Claims 1-40 are pending in the application.

Claim 16 is amended to remove the phrase "one of the aforementioned claims" to address the claim objection noted in the Official Action.

Claims 3, 17, 18, 20, 23, 27, and 40 are amended to address the 35 USC 112, second paragraph rejections noted in the Official Action and withdrawal of the same is respectfully requested.

Claims 1-10 were rejected under 35 USC 102(b) as being anticipated by BEAUREGARD et al. U.S. Publication No. 2003/0089684. That rejection is respectfully traversed.

The position set forth in the Official Action is that actuator 128 is a movable housing which moves the welding contacts toward each other.

However, even if one of ordinary skill in the art were to equate the actuator 128 of BEAUREGARD with a housing, such

actuator does not move along the drive housing as required by claim 1.

Rather, the movement in BEAUREGARD is based on screw 174 rotating which in turn causes nut 176 to move forwardly which in turn causes rod 178 to move forwardly. Such movement causes the actuator 128 to extend which in turn moves the second electrode 126. However, such movement is not movement along the drive housing. Rather, it is only an extension of one end of the actuator while the other end of the actuator is fixed to the drive housing. That is, the actuator never moves along the drive housing, but one end of the actuator extends away from the drive housing.

Moreover, the actuator 128 is not self-supporting. Rather, as set forth above, one end of the actuator 128 is fixed and is supported by plate 136, which in turn is fixed to gun 121 (see the last line of column 1 of paragraph [0071] of BEAUREGARD).

The above differences are further evidenced by the dependent claims. See for example, claim 9 wherein the movable housing comprises two housing halves. Compare housing halves 22 and 23 of Figure 3 of the present invention that move along guide rails 17 with respect to device 10.

By contrast, the elements shown in Figure 45 of BEAUREGARD are not part of a movable housing. Rather, as set forth above, the only movement is the expansion and contraction

of the bellows part of the actuator. See Figure 41 of BEAUREGARD with the bellows contracted and Figure 42 of BEAUREGARD with the bellows expanded. Indeed, the other portions such as trunion 188 and the front housing 160 never move along the drive housing.

In view of the above, it is apparent that BEAUREGARD does not anticipate claims 1-10.

Claims 11-40 were rejected under 35 USC 103(a) as being unpatentable over BEAUREGARD in view of TANIGUCHI et al. 6,337,456. That rejection is respectfully traversed.

TANIGUCHI fails to overcome the shortcomings of BEAUREGARD set forth above. That is, TANIGUCHI also fails to disclose a housing that moves along a drive housing and that is a self-supporting movable housing. Accordingly, claims 11-40 which depend from claim 1 are believed to be patentable at least for depending from an allowable independent claim.

In view of the present amendment and the foregoing Remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional
fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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